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Filed with Classified
Information Security Office

IN THE UNITED STATES DISTRICT COURT CISO
FOR THE EASTERN DISTRICT OF VIRGINIA

Date 8/31/11

Alexandria Division

UNITED STATES OF AMERICA,

vs.

JEFFREY ALEXANDER STERLING,

Defendant.

UNCLASSIFIED // REDACTED

Case No. 1:10-cr-00485-LMB

Exhibits not attached; remain classified
and under seal.

FOURTH CIPA § 5 FILING BY JEFFREY A. STERLING

Defendant Jeffrey Sterling ("Mr. Sterling"), by and through counsel, and pursuant to The Classified Information Procedures Act ("CIPA"), 18 U.S.C. App. 3 § 5 (a), hereby gives notice of his intention to disclose the following classified information in connection with the trial or pre-trial proceedings in this case. The defendant submits that he reasonably expects to disclose this information as part of the trial of this case.

Pursuant to CIPA § 6 (f), Mr. Sterling hereby requests that the United States provide reciprocal discovery of each and every item of information it intends to use to rebut any of the classified information identified in this notice and which the Court orders may be disclosed at trial or any pretrial proceeding.

One of the experts retained by the defense, Mr. W. Patrick Lang, has read the previously disclosed designated materials along with other, un-designated material in preparation for rendering his opinion for this trial. The defense notes that not all of the documents that Mr. Lang reviewed are being designated at this time as they need not be introduced at trial. In an effort to designate only what Mr. Sterling and his counsel deem necessary for his defense, the defense has designated only documents that Mr. Lang will rely upon for his opinion at trial instead of the entire universe of documents that Mr. Lang has reviewed.

The subject documents are listed below. For the Court's convenience, attached hereto are copies of the documents that are the subject of this Notice:

107. CIA [REDACTED] Cable [REDACTED] dated October 1997 (C02095 - 96) and the information and statements contained therein.

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108. CIA [REDACTED] Cable [REDACTED] dated June 1998 (C02146 - 48) and the information and statements contained therein.
109. CIA [REDACTED] Cable [REDACTED] dated July 1998 (C02150 - 51) and the information and statements contained therein.
110. CIA [REDACTED] Cable [REDACTED] dated July 1998 (C02153 - 54) and the information and statements contained therein.
111. CIA [REDACTED] Cable [REDACTED] dated June 1999 (C02199 - 00) and the information and statements contained therein.
112. CIA [REDACTED] Cable [REDACTED] dated July 1999 (C02202 - 03) and the information and statements contained therein.
113. CIA [REDACTED] Cable [REDACTED] dated July 1999 (C02205 - 07) and the information and statements contained therein.
114. CIA [REDACTED] Cable [REDACTED] dated September 1999 (C02212 - 13) and the information and statements contained therein.
115. CIA [REDACTED] Cable [REDACTED] dated May 2000 (C02619) and the information and statements contained therein.
116. CIA [REDACTED] Cable [REDACTED] dated May 2000 (C02621 - 22) and the information and statements contained therein.
117. CIA [REDACTED] Cable [REDACTED] dated May 2000 (C02630 - 31) and the information and statements contained therein.
118. CIA [REDACTED] Cable [REDACTED] dated March 2001 (C02662 - 63) and the information and statements contained therein.
119. CIA [REDACTED] Cable [REDACTED] dated October 2001 (C02674 - 75) and the information and statements contained therein.
120. CIA [REDACTED] Cable [REDACTED] dated November 2002 (C02677 - 79) and the information and statements contained therein.
121. CIA [REDACTED] Cable [REDACTED] dated December 2003 (C02681 - 83) and the information and statements contained therein.
122. CIA [REDACTED] Cable [REDACTED] dated October 2005 (C02703 - 04) and the information and statements contained therein.

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123. CIA [REDACTED] Cable [REDACTED] dated January 2006 (C02729 - 30) and the information and statements contained therein.
124. CIA [REDACTED] Cable [REDACTED] dated May 2006 (C02776 - 77) and the information and statements contained therein.
125. CIA [REDACTED] Cable [REDACTED] dated July 2006 (C02779 - 80) and the information and statements contained therein.
126. CIA [REDACTED] Cable [REDACTED] dated February 2007 (C02787 - 88) and the information and statements contained therein.
127. CIA [REDACTED] Cable [REDACTED] dated February 2007 (C02790 - 91) and the information and statements contained therein.
128. CIA [REDACTED] Cable [REDACTED] dated September 2007 (C02793 - 94) and the information and statements contained therein.
129. CIA [REDACTED] Cable [REDACTED] dated September 2007 (C02796 - 99) and the information and statements contained therein.
130. CIA [REDACTED] Cable [REDACTED] dated October 2007 (C02807) and the information and statements contained therein.
131. CIA [REDACTED] Cable [REDACTED] dated December 2007 (C02809 - 10) and the information and statements contained therein.
132. CIA [REDACTED] Cable [REDACTED] dated December 2007 (C02812 - 13) and the information and statements contained therein.
133. CIA [REDACTED] Cable [REDACTED] dated December 2007 (C02815 - 16) and the information and statements contained therein.
134. CIA [REDACTED] Cable [REDACTED] dated January 2008 (C02818 - 19) and the information and statements contained therein.
135. CIA [REDACTED] Cable [REDACTED] dated February 2008 (C02821 - 22) and the information and statements contained therein.
136. CIA [REDACTED] Cable [REDACTED] dated March 2008 (C02824 - 25) and the information and statements contained therein.
137. CIA [REDACTED] Cable [REDACTED] dated March 2008 (C02827 - 28) and the information and statements contained therein.

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- 138. CIA [REDACTED] Cable [REDACTED] dated March 2008 (C02830 - 31) and the information and statements contained therein.
- 139. CIA [REDACTED] Cable [REDACTED] dated March 2008 (C02833 - 34) and the information and statements contained therein.
- 140. CIA [REDACTED] Cable [REDACTED] dated April 2008 (C02836 - 37) and the information and statements contained therein.
- 141. CIA [REDACTED] Cable [REDACTED] dated April 2008 (C02839 - 40) and the information and statements contained therein.
- 142. CIA [REDACTED] Cable [REDACTED] dated April 2008 (C02842 - 44) and the information and statements contained therein.
- 143. CIA [REDACTED] Cable [REDACTED] dated April 2008 (C02846 - 47) and the information and statements contained therein.
- 144. CIA [REDACTED] Cable [REDACTED] dated April 2008 (C02849 - 50) and the information and statements contained therein.
- 145. CIA [REDACTED] Cable [REDACTED] dated April 2008 (C02852 - 53) and the information and statements contained therein.
- 146. CIA [REDACTED] Cable [REDACTED] dated April 2008 (C02855 - 56) and the information and statements contained therein.
- 147. CIA [REDACTED] Cable [REDACTED] dated August 2008 (C02858 - 59) and the information and statements contained therein.
- 148. CIA [REDACTED] Cable [REDACTED] dated October 2008 (C02861 - 62) and the information and statements contained therein.
- 149. CIA [REDACTED] Cable [REDACTED] dated December 2008 (C02864 - 65) and the information and statements contained therein.
- 150. CIA [REDACTED] Cable [REDACTED] dated December 2008 (C02867) and the information and statements contained therein.
- 151. CIA [REDACTED] Cable [REDACTED] dated December 2008 (C02869 - 70) and the information and statements contained therein.
- 152. CIA [REDACTED] Cable [REDACTED] dated February 2006 (C02752 - 54) and the information and statements contained therein.

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- 153. CIA [REDACTED] Cable [REDACTED] dated October 2007 (C02804 - 05) and the information and statements contained therein.
- 154. E-mail dated April 10, 2003 (Q00417 - 20).
- 155. E-mail dated April 4, 2003 (Q00430 - 33).
- 156. E-mail dated April 4, 2003 (Q00434 - 36).
- 157. Memorandum dated December 2, 2003 (Q00470 - 471).
- 158. Table of phone numbers dated November 21, 2003 (Q00544 - 45).
- 159. Memorandum dated February 27, 2004 (Q00592 - 98).
- 160. E-mail dated April 21, 2006 (Q00740).
- 161. Memorandum dated May 2, 2006 (Q00636 - 41).
- 162. Database print out (Q00644 - 58).
- 163. Spot Report dated May 5, 2000 (Q00724 - 725).
- 164. Memorandum dated May 5, 2003 (Q00750 - 751).
- 165. Memorandum dated July 6, 2006 (Q00952 - 955).
- 166. E-mail dated April 10, 2003 (Q00970 - 74).
- 167. [REDACTED] Audit list from September 1, 1995 through January 1, 2006 (Q00977 - 78).
- 168. Memorandum dated April 18, 2003 (Q01071 - 76).
- 169. E-mail dated August 18, 2006 (Q02129 - 30).
- 170. E-mail dated January 20, 2006 (Q02165).
- 171. E-mail dated November 16, 2004 (Q02231 - 32).
- 172. E-mail dated July 28, 2003 (Q02267).
- 173. Memorandum from 2003 (Q02277 - 80).
- 174. E-mail dated April 10, 2003 (Q02287 - 89).

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- 175. E-mail dated February 24, 2006 (Q02305)
- 176. E-mail dated January 6, 2006 (Q02319 - 20).
- 177. Memorandum dated September 25, 1997 (Q02347 - 48).
- 178. Memorandum dated May 14, 1999 (Q02363 - 68).
- 179. CIA Admin Cable [REDACTED] dated August 2000 (P00561 - 64) and the information and statements contained therein.
- 180. CIA Admin Cable [REDACTED] dated September 1999 (P00567 - 70) and the information and statements contained therein.
- 181. [REDACTED] Briefing Notes from 2001 (P00701 - 704).
- 182. E-mail dated May 31, 2006 (V00694).
- 183. CIPA § 6 Disclosure of Mr. Jeffrey Sterling.

Along with these CIPA § 5 disclosures, the defense hereby lists other documents reviewed by Mr. Lang. These document have already been designated by the defense in its past CIPA § 5 filings. For the convenience of the Court, the list below indicates where each § 5 disclosure was made for the convenience of the Court and the Government.

FBI 302 Reports:

- A [REDACTED] (F00261) designated in Second CIPA § 5 Filing by Jeffrey A. Sterling tab 86.
- B [REDACTED] (F00002-5) designated in First CIPA § 5 Filing by Jeffrey A. Sterling tab 1.
- C [REDACTED] (F00007-8) designated in First CIPA § 5 Filing by Jeffrey A. Sterling tab 2.
- D [REDACTED] (F00020-22) designated in First CIPA § 5 Filing by Jeffrey A. Sterling tab 5.
- E [REDACTED] (F00024-25);(F00291-292) designated in First CIPA § 5 Filing by Jeffrey A. Sterling tab 6; and Second CIPA § 5 Filing by Jeffrey A. Sterling tab 94, respectively.
- F [REDACTED] (F00042-45);(F00033-40) designated in First CIPA § 5 Filing by Jeffrey A. Sterling tab 8; and Second CIPA § 5 Filing by Jeffrey A. Sterling tab 80, respectively.

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G [REDACTED] (F00051-53) designated in First CIPA § 5 Filing by Jeffrey A. Sterling tab 10.

G [REDACTED] (F00055-59) designated in First CIPA § 5 Filing by Jeffrey A. Sterling tab 11.

H [REDACTED] (F00067-69);(F00241-44);(F00296-301) designated in First CIPA § 5 Filing by Jeffrey A. Sterling tab 13; and Second CIPA § 5 Filing by Jeffrey A. Sterling tabs 83 and 96, respectively.

L [REDACTED] (F00098-103) designated in First CIPA § 5 Filing by Jeffrey A. Sterling tab 19.

L [REDACTED] (F00083-85) designated in First CIPA § 5 Filing by Jeffrey A. Sterling tab 17.

M [REDACTED] (F00105-108) designated in First CIPA § 5 Filing by Jeffrey A. Sterling tab 20.

[REDACTED] (F00120-122);(F00124-131);(F00133-134);(F00136-144) designated in First CIPA § 5 Filing by Jeffrey A. Sterling tabs 22, 23, 24, and 25, respectively.

N [REDACTED] (F00156-161) designated in First CIPA § 5 Filing by Jeffrey A. Sterling tab 29.

Perez, Anna (F00309-311) designated in Second CIPA § 5 Filing by Jeffrey A. Sterling tab 99.

R [REDACTED] (F00166-171) designated in First CIPA § 5 Filing by Jeffrey A. Sterling tab 31.

S [REDACTED] (F00216-218) designated in First CIPA § 5 Filing by Jeffrey A. Sterling tab 35.

S [REDACTED] (F00184-185);(F00213-14);(F00187-192);(F00315-320); (F00194-211) designated in First CIPA § 5 Filing by Jeffrey A. Sterling tabs 33 and 34; Second CIPA § 5 Filing by Jeffrey A. Sterling tabs 82 and 101; and Third CIPA § 5 Filing by Jeffrey A. Sterling tab 105, respectively.

W [REDACTED] (F00325-326) designated in Second CIPA § 5 Filing by Jeffrey A. Sterling tab 103.

W [REDACTED] (F00228-234) designated in First CIPA § 5 Filing by Jeffrey A. Sterling tab 37.

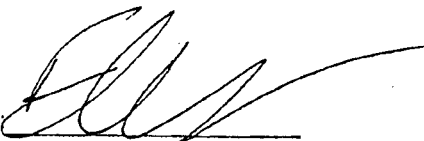
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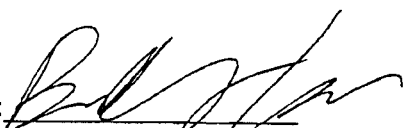
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Y [REDACTED] (F00236-239) designated in First CIPA § 5 Filing by Jeffrey A. Sterling tab 38.

Dated: August 31, 2011

JEFFREY A. STERLING
By counsel

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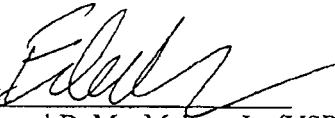
Counsel for Jeffrey A. Sterling

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CERTIFICATE OF SERVICE

I hereby certify that on August the 31th, 2011, I delivered an original of the following Fourth CIPA § 5 Filing by Jeffrey Sterling to the CISO as directed by the Classified Information Protective Order issued in this case.

By: 
Edward B. MacMahon, Jr. (VSB #25432)

Counsel for Jeffrey A. Sterling

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